United Nations A/AC.109/2017/11

General Assembly

Distr.: General
22 February 2017
English
Original: French

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

New Caledonia

Working paper prepared by the Secretariat

Contents

		Page
	The Territory at a glance	3
I.	Constitutional, political and legal issues	5
II.	Budget	8
III.	Economic conditions	9
	A. General	9
	B. Mineral resources	10
	C. Construction and manufacturing	10
	D. Agriculture and fisheries	11
	E. Transport and communications	11
	F. Tourism and environment	12
IV.	Social conditions	13
	A. General	13
	B. Employment	15
	C. Education	16
	D. Health care	17
V.	Relations with international organizations and partners	18

Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power on 27 December 2016 under Article 73 *e* of the Charter of the United Nations. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

17-02959 (E) 100317 170317

Please recycle

VI. Position of the administering Power 19

VII. Consideration of the question by the United Nations 19

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples 19

B. Special Political and Decolonization Committee (Fourth Committee) 20

C. Action taken by the General Assembly 20

The Territory at a glance

Territory: New Caledonia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France. New Caledonia is defined as a French overseas sui generis community under the French Constitution and has enhanced autonomy.

Representative of administering Power: Mr. Thierry Lataste, High Commissioner of the Republic (since 21 June 2016).

Geography: Located in the Pacific Ocean, about 1,500 km east of Australia and 1,700 km north of New Zealand. It comprises one large island, known as Grande Terre, and smaller islands known as the Loyalty Islands, the Bélep Archipelago, the Isle of Pines and the Huon Islands. There are also several uninhabited islands to the north of the Loyalty Islands.

Land area: 18,575 km² (the Territory as a whole); 16,750 km² (Grande Terre).

Exclusive economic zone: 1,422,543 km².

Population: 268,767 (2014 census).

Life expectancy at birth: 80.4 years for women and 74 years for men.

Ethnic composition: 39.1 per cent Melanesians, mainly Kanaks; 27.2 per cent persons of European origin, mainly French; 8.2 per cent Wallisians and Futunians; 2.1 per cent Tahitians; 1.4 per cent Indonesians; 0.9 per cent Vietnamese; 0.9 per cent Vanuatuans; and 21.2 per cent populations classified by the French National Institute of Statistics and Economic Studies as "others".

Languages: The official language is French. About 27 Kanak vernacular languages are spoken in geographically distinct regions. Under the Nouméa Accord, Kanak languages and French are the languages of instruction and culture.

Capital: Nouméa, located in the south of Grande Terre.

Head of territorial Government: Mr. Philippe Germain (since 1 April 2015).

Main political parties: The Congress includes four political groups. The two anti-independence groups are Calédonie ensemble and the Républicains (including Rassemblement). The two pro-independence groups are UC-FLNKS et nationalistes (Union calédonienne-Front de libération nationale kanak socialiste, Union pour construire les Loyauté, Dynamique unitaire Sud and Parti travailliste) and UNI-Palika (Union nationale pour l'indépendance-Parti de libération kanak).

Elections: The most recent elections were held on 23 and 30 March 2014 (municipal) and 11 May 2014 (provincial).

Legislature: Congress of New Caledonia.

Gross domestic product per capita: 3.49 million CFP francs (2015).

Unemployment rate: 14.6 per cent (2014).

Economy: Mining industry (notably nickel), construction and tourism.

Monetary unit: CFP franc.

Brief history: In 1774, the British captain James Cook discovered Grande Terre and named it "New Caledonia". France annexed New Caledonia on 24 September 1853. In 1942, the United States of America chose New Caledonia for its military base in the Pacific. Some 20,000 New Zealand soldiers were stationed in New Caledonia during the Second World War. In 1946, France made New Caledonia an overseas Territory with limited autonomy. In the 1970s, supporters of independence were highly active, leading to violence during the 1980s known as the "événements" (events). In 1988, the Matignon Accords led to the establishment of three provinces with the aim of restoring the balance of power. Some 10 years later, in 1998, the Nouméa Accord planned for the progressive autonomy of the Territory. A referendum on whether New Caledonia should assume full sovereignty will be held between 2014 and 2018, but may not be held in the last six months of the term of office of the current Congress of New Caledonia. The Congress has until the end of May 2018 to request the administering Power, by a three-fifths majority of its members, to hold the referendum. After that time, the date will be set by the administering Power between May and November 2018.

I. Constitutional, political and legal issues

1. New Caledonia is a sui generis community within the French Republic, governed under part XIII of the Constitution ("Transitional provisions pertaining to New Caledonia"). The French Minister for Overseas Territories, Ms. Ericka Bareigts, has responsibility for New Caledonia, and in this regard ensures the coordination and implementation of the French Government's actions in accordance with the Territory's status and organization. The administering Power is represented in the Territory by a High Commissioner, who exercises the authority of the French Republic in New Caledonia. This position is currently held by Mr. Thierry Lataste. Under the Organic Law of 19 March 1999 concerning New Caledonia, the administering Power retains prerogatives in a number of areas, including diplomacy, immigration and aliens, currency, the Treasury, trade, defence, justice and maintenance of law and order. In the area of defence, the High Commissioner performs functions prescribed by the relevant legislation. New Caledonia has an air force base, a navy base and one infantry regiment, with a total of around 1,700 military personnel. The armed forces of New Caledonia conduct the sovereign missions of the administering Power and provide support to the territorial Government in the exercise of its civilian security responsibilities.

2. The administering Power is responsible for the maintenance of public order, provided by almost 400 national police officers and around 800 members of the gendarmerie (including mobile gendarmerie squadrons). In order to address the concerns of the authorities in New Caledonia, the administering Power reinforced substantially these personnel by deploying an additional mobile gendarmerie squadron in November 2016; creating 53 additional positions (23 for the national police and 30 for the gendarmerie) by 2017; and providing them with new materiel.

3. The Territory is part of the metropolitan French judicial system, with some special features such as the obligation to use customary judges in cases involving disputes between persons with customary civil status. The Court of Appeal is located in the capital, Nouméa. Appeals on points of law can be filed with the French Court of Cassation.

4. The Kanak independence movement was launched in the 1970s in response to the process of decolonization in Africa and Oceania, and as a reaction to the large movements of people from metropolitan France in the late 1960s and early 1970s. In 1984, the Front de libération nationale kanak socialiste (FLNKS) was founded as an umbrella organization for the pro-independence parties, and later that year it established a provisional independent Government. Between 1984 and 1988, about 80 people died in violent confrontations between pro- and anti-independence elements. The violence was eventually halted with the conclusion of the Matignon Accords on 26 June 1988 between FLNKS, the anti-independence Rassemblement pour la Calédonie dans la République (RPCR) and the Government of France. Information on the Matignon Accords and the Nouméa Accord, concluded in 1998, are available in previous working papers prepared by the Secretariat (see, for example, A/AC.109/2016/11).

5. The Nouméa Accord commits France to transferring responsibility for certain non-sovereign powers to the Government of New Caledonia between 1998 and 2018. A referendum on whether New Caledonia should assume full sovereignty will be held between 2014 and 2018, but may not be held in the last six months of the term of office of the current Congress of New Caledonia. The Congress has until the end of May 2018 to request the administering Power, by a three-fifths majority of its members (33 members), to hold the referendum on the assumption of full sovereignty. After that time, the date will be set by the administering Power.

According to the administering Power, since it seems there will be no qualified majority before May 2018, the referendum should take place in November 2018. Although the precise question has yet to be determined, pursuant to the Nouméa Accord it will refer to the transfer of sovereign powers to New Caledonia, access to an international status of full responsibility and the organization of citizenship by nationality. Should independence be rejected, a second referendum may be held in 2020 at the request of one third of the members of Congress (19 members). If independence is again rejected, a third referendum may be held in 2022 under the same conditions. If the response is still negative, the parties to the Accord will meet to consider the situation thus created. The full text of the Nouméa Accord is contained in the 1998 working paper (A/AC.109/2114, annex).

6. New Caledonia has a 54-member Congress drawn from the elected membership of the three provincial assemblies (15 of the 22 members of the North Province assembly, 32 of the 40 members of the South Province assembly and 7 of the 14 members of the Loyalty Islands Province assembly).

7. In accordance with the Nouméa Accord, a set of institutions was established to accommodate full recognition of the Kanak identity and culture. There are eight customary councils representing eight customary regions. In addition, a Territory-wide customary Senate with a rotating presidency comprises 16 members, with 2 members selected by each customary council. According to the administering Power, the customary Senate is consulted by the executive and legislative bodies of New Caledonia on all matters related directly to the Kanak identity but has no normative power. The customary Senate has a budget for its operations (article 147 of Organic Law No. 99-209 of 19 March 1999).

8. Political parties in New Caledonia are divided between those favouring New Caledonia remaining part of France and those favouring independence, with a number of nuances within each position. The 2014 election resulted in a Congress of 29 anti-independence and 25 pro-independence members. The anti-independence movements currently represented in Congress are Calédonie ensemble (CE), with 16 seats; the Républicains, with 10 seats; and Union pour la Calédonie dans la France (UCF), with 3 seats (6 seats are needed to form a group). The pro-independence movements represented in Congress are Union calédonienne-FLNKS (UC-FLNKS) et nationalistes, with 15 seats; Union nationale pour l'indépendance-Parti de libération kanak (UNI-Palika), with 9 seats; and Ligue kanake socialiste (LKS), with 1 seat. Mr. Thierry Santa (the Républicains), who was elected President of the Congress on 16 July 2015, was re-elected for one year on 30 June 2016.

9. The fourteenth Government, elected by the Congress on the basis of a proportional system, comprises 11 members. It consists of six members of the anti-independence groups (CE, the Républicains and UCF) and five members of the pro-independence Union calédonienne (UC) and UNI-Palika. Mr. Philippe Germain (Calédonie ensemble) has been the Head of the Government since 1 April 2015.

10. There are several electorates in New Caledonia: the general electorate, a special electorate consisting of those eligible to vote in elections to Congress and the provincial assemblies, and a special electorate consisting of those eligible to participate in the final status referendums under the Nouméa Accord (see A/AC.109/2015/15). The administering Power reports that this latter electorate was established for the first time in 2016. It has about 154,000 voters. It includes all voters who can demonstrate a strong and enduring commitment to the territory either as a result of their participation in the 1998 referendum, because they hold customary civil status, because of their period of residence (20 years before

31 December 1994) or as a result of having property and personal ties mainly in New Caledonia.

11. Since 1999, the composition of the electorate for provincial elections has been a subject of intense political and legal debate between supporters of independence and advocates of keeping New Caledonia within the French Republic (see A/AC.109/2014/20/Rev.1). Every year, the special electoral rolls of voters eligible to participate in the election of members of Congress and the assemblies are updated by special administrative commissions headed by magistrates. Each commission also includes a representative of the Administration appointed by the French High Commissioner, a representative of the mayor of the municipality and two representatives of voters in the municipality (one pro- and one anti-independence).

12. Organic Law No. 2015-987 of 5 August 2015 on the referendum on the accession of New Caledonia to full sovereignty modified the organization and functioning of the special administrative commissions with the addition of an independent, non-voting qualified person, whose profile, role and process of appointment are established by decree. In addition, it strengthened the powers of the chair of the commission by transferring to the chair certain powers which had previously been assigned to the commission as a whole, namely the power to order investigations and the power to hold consultations with customary representatives. Decisions are taken by majority vote.

13. Following the meeting of the Committee of Signatories to the Nouméa Accord on 5 June 2015 (see A/AC.109/2016/11), the conclusions of the trusted expert appointed to conduct a quantitative assessment of the electoral dispute were formally presented at the meeting of the Committee of Signatories held on 4 February 2016. According to the administering Power, on the basis of a prior identification of 3,974 persons on the special provincial electoral roll but not on the general electoral roll for 1998, a number of local files were examined to identify those among them who had arrived before 8 November 1998. These activities produced the following results.

14. The 3,974 persons registered on the special electoral roll for the election of members of congress and the provincial assemblies are divided into the following four categories:

(a) Those registered before 6 November 1988 in the files consulted: 586;

(b) Those registered after 6 November 1988 and before 8 November 1998 in the files consulted: 2,326;

(a) Those registered after 8 November 1998 in the files consulted: 870;

(d) Those whose files consulted provided no information: 192.

15. According to the administering Power, the partners agreed that only persons whose first record appeared after 1998 and only those for whom no record had been found would have to substantiate their situation with the administrative commissions. These 1,062 persons were sent a letter indicating that the administrative commissions that will meet as part of the revision of the special provincial list would ask them to send documentation to prove their presence before 8 November 1998. Despite the political agreement, deregistration appeals were filed with the court of first instance of Nouméa because some supporters of independence believed that, although the topic was politically closed, legally it remained open. Although, in the first instance, the judge ordered the deregistration of 54 persons, in October 2016 appeals to the Court of Cassation led to the reversal of those decisions.

16. According to the administering Power, electoral matters are a source of controversy and tension in New Caledonia between the pro- and anti-independence parties. The representatives of the pro-independence political groups believe that there are persons who should not be included on the special provincial electoral rolls and they lodge appeals at the court of first instance of Nouméa for deregistration. At the same time, appeals for the registration of persons belonging to the Kanak community are filed.

17. According to the administering Power, to ease these tensions a team of 13 experts from the United Nations was mobilized for five months in 2016. The experts have served on administrative commissions as independent qualified persons to assist with the revision of the special provincial electoral roll and to prepare the special roll for the referendum on self-determination. The mission issued two separate reports on each of the two periods. Though the two reports contained recommendations on how to improve the functioning of the special administrative commissions, neither concluded that there was fraud in the preparation of these lists.

18. In response to the recommendations made by the United Nations experts, the administering Power reports that it has put in place the following measures:

(a) The implementation of an action plan to fill gaps in the electoral rolls;

(b) The organization of an outreach campaign for registrations on the electoral roll;

(c) The holding of training sessions for the municipalities responsible for organizing the work of the commissions.

19. In this context, with regard to the special provincial electoral roll for the referendum, the administering Power reports that in 2016 it deployed a major effort to identify natives not registered on the roll. According to cross-checks made of the files (civil status, customary civil status, local social security files, electoral roll, free medical assistance), 4,628 persons with customary civil status and 4,097 persons with ordinary status born in New Caledonia currently are identified as not being included on the general electoral roll. With the agreement of the political parties, the administering Power has sent 8,725 persons a letter informing them of their situation and explaining the procedure for registration on the general electoral roll before 31 December 2016, a prerequisite for future inclusion on the special roll for the referendum on self-determination. The process to identify persons of legal age not registered on the general electoral roll will continue in 2017.

II. Budget

20. The administering Power reports that the Territory's financial situation has deteriorated since 2012. The completion of major construction projects (metallurgical plants, the construction of the Koutio Médipôle) and falling nickel prices are the two main reasons. Growth is driven by household consumption (65 per cent of gross domestic product (GDP)), though the labour market is deteriorating. The business environment reached its lowest level in the first quarter of 2016. Sectoral developments show a mixed picture: an increase in tourism and related activities (restaurants, hospitality); reduced construction and public works and business services.

21. The administering Power reports that New Caledonia faces the need both to ensure its own financial stability, following a decline in revenues, and to participate more actively in economic recovery. To that end, in 2017 the Government is

counting on cutting its general recurrent expenses (-5 per cent) and boosting the working capital of its public institutions, including the Post and Telecommunication Office and the Autonomous Port of New Caledonia in Nouméa. The objective is to maintain the same level of investment in 2017: 9.5 billion CFP francs (almost $83 million) to address, inter alia, the financing needs of critical infrastructure (the new Société le Nickel-SLN (SLN) power plant and the Ouiné dam). Also envisaged is a package of economic and fiscal reforms under a shared agenda involving employers and employees, political groups in the Congress and local Government to transition from a model of growth based on foreign investment towards a model of growth based on local development.

22. In the area of tax matters, Congress passed two country laws on 1 September 2016, one establishing a global consumption tax to replace the seven taxes and contributions in place today; the other on competition, competitiveness and prices, which will mainly allow the Government to regulate prices in the event of a breakdown in competition, supply constraints, slippage in the prices of basic commodities or major crisis. The Territory has also established an emergency plan to support employment ("PULSE") which includes measures to revive investment and an export support plan, which aims to diversify the economy, which for years has been focused on nickel. It is also worth noting the unanimous adoption by Congress, on 12 August 2016, of the NC 2025 New Caledonia land-use planning and development plan.

III. Economic conditions

A. General

23. According to the Statistics Division of the United Nations Secretariat, New Caledonia has one of the richest economies of all the Pacific islands, with a per capita GDP estimated in 2015 at 3.49 million CPF francs ($30,533) (estimate provided by the administering Power). This is largely owing to the preponderance of nickel mining and processing in the island's economy. Nickel production accounts for over 90 per cent of total export earnings. There are significant geographic disparities in income distribution, however, as the South Province, where 75 per cent of the population is concentrated, accounts for 85 per cent of total household income, the North Province for 11.1 per cent and the Loyalty Islands Province for only 3.9 per cent. The economy is also highly dependent on transfer payments from the French Government. Such payments amounted to over 153.1 billion CFP francs ($1.34 billion) in 2015, up 0.74 per cent in one year, representing approximately 17.3 per cent of GDP for New Caledonia. In comparison, the nickel sector's contribution to wealth creation is under 10 per cent of GDP. Of the financial resources allocated by France, 48 per cent are used to finance sectors under State control, while 52 per cent are redistributed among local communities, including for development contracts. The Territory runs a significant structural trade deficit.

24. According to the administering Power, New Caledonia has enjoyed steady growth over the past decade. The standard of living in the Territory is now comparable to that in the vast majority of regions in France and is close to that in New Zealand, which itself is the second highest in the Pacific region, after Australia.

25. According to the administering Power, the main investment drivers used by the French Government are based on:

(a) Development contracts: the next generation of contracts that will cover the period 2017-2021 includes allocating 93.593 billion CFP francs, including

50 per cent in funding by the administering Power (47.136 billion CFP francs, approximately $413 million). The sector dedicated to youth accounts for 70 of the 208 projects contracted and approximately 30 per cent of the funding partners have planned to mobilize;

(b) Tax relief: unlike support for development contracts that specifically finances structural investments made by public authorities, overseas tax assistance targets private sector economic projects. Investments that received relief totalled more than 12 billion CFP francs in 2015 ($105 million). The projects account for 48.1 per cent of social housing operations, despite the fact that this sector falls within the exclusive competence of New Caledonia. While the number of projects submitted under social housing remains steady from one year to the next (12 projects on average per year, and a total of 5,000 dwellings over 10 years), the number for so-called "productive" sectors (construction and public works, industry, transport, etc.) is falling (14 projects in 2015 compared to 40 in 2011). The completion of the metallurgical plants has contributed to this decline. The mechanism was originally scheduled for expiry in late 2017 but the French prime minister decided to extend it until 2025, offering project managers greater visibility. Major investments planned in the short term include the acquisition of four Airbus aircraft by Air Calédonie International (Aircalin); the purchase of four ATR aircraft by Air Calédonie; the construction of a gas-fired power station to supply energy for the SNL metallurgical plant; the construction of an hotel on the island of Lifou; the construction of a resort at Bourail; and the acquisition of several dozen buses for the "Néobus" reserved-lane public transport project.

B. Mineral resources

26. New Caledonia, with an estimated 15 to 25 per cent of the world's nickel reserves, is the second largest source of that metal, after the Russian Federation. Cobalt is also mined commercially, and deposits of iron, copper and gold have been discovered and mined on a small scale in the past. Mining is carried out by about a dozen operators, the largest of which are SLN, the Nickel Mining Company, Vale New Caledonia and Koniambo Nickel SAS (KNS). The other operators are small-scale miners, who may or may not be owners of mining claims, and supply Société le Nickel or export crude ore. In 2015, New Caledonia extracted 14 million wet tons of ore (9 per cent of global production), of which 5.5 million were exported. According to the administering Power, New Caledonia produced almost 94,000 tons of nickel in 2014, accounting for only 4 per cent of world production. This share is expected to increase with the entry into full operation of the Koniambo plant in the North Province and the Goro plant in the South Province. Employment in mining and metallurgy increased by 4 per cent over a 12-month period, amounting to an estimated 7,500 people in 2015 (including those employed in related activities such as contractors, ore transporters and temporary workers).

C. Construction and manufacturing

27. The construction and public works sector accounted for an average of 10 per cent of the wealth generated and employed some 9 per cent of wage labour in the Territory in 2015. According to the administering Power, after several years of sustained growth, this sector is now suffering as a result of the completion of major projects and the slowdown in new housing construction. Construction of social housing remains extremely inadequate. The law on local tax relief has buoyed the intermediate housing construction sector since 1 January 2014 and will continue to do so until 2018.

28. According to the administering Power, the development of the manufacturing sector is faced with high investment and production costs owing to the small size of the local market and the island status of the Territory, which raises the cost of inputs. To address these handicaps, the local authorities have launched a proactive policy to protect local production (imposition of bans or quotas on certain imports, and tariff protection) and offer tax incentives (preferential tax treatment of imports of investment goods and raw materials).

D. Agriculture and fisheries

29. Although the primary sector (excluding mining) represented around 1.3 per cent of wealth generation and wage employment (with at least 1,670 wage earners each year), it is nonetheless the principal activity of much of the rural population. According to 2012 data, there are some 4,500 farms and a family farming population of about 13,200 in the Territory. Agriculture, livestock and fisheries thus continue to constitute a subsistence economy, although the useful agricultural area is gradually shrinking (by one quarter in 10 years) and the development of the nickel industry and urbanization around these new employment hubs are absorbing part of the agricultural workforce. Cattle-raising on the west coast (mostly by farmers of European descent), pig farming and the export of venison and fish products to Europe are the most important cash-producing agricultural activities. According to the administering Power, New Caledonia is not self-sufficient in most agricultural and livestock sectors, and thus remains heavily dependent on imports.

E. Transport and communications

30. The transport and telecommunications sector accounts for 6.7 per cent of the value added in the Territory (based on 2010 figures), 6 per cent of wage employment (as of late 2014) and 4.4 per cent of registered companies. The Territory has a good road system in and around Nouméa. The road infrastructure in the rest of the Territory is gradually improving. New Caledonia has about 5,000 km of roads, of which about half are surfaced. Port activity in New Caledonia is organized around the infrastructure of the Autonomous Port of New Caledonia, based in Nouméa (France's tenth-ranked port and first-ranked overseas port); some secondary ports operated primarily in connection with nickel exploitation (in Grande Terre) and passenger traffic between the islands; and marinas, mainly in greater Nouméa. Overseas cargo shipping (inbound and outbound) is predominantly through Nouméa. The total volume of goods loaded and unloaded, apart from nickel ore, amounted to 3.2 million tons in 2014. The Autonomous Port also handles 8.6 million tons of nickel ore, of which 5.5 million tons are exported, while the rest consists of ore shipped to Doniambo from mining centres. Container shipping is relatively stable, with just under 100,000 containers loaded, unloaded or trans-shipped. With 3,500 trans-shipments, the Autonomous Port serves as a regional hub, as 70 per cent of the goods trans-shipped remain within the Pacific region (Fiji, New Zealand and Vanuatu for the most part).

31. Since 1 January 2000, New Caledonia has had authority over international traffic rights and air carrier operational programmes. Powers in the area of policing and security in respect of air traffic were transferred, for domestic traffic only, on 1 January 2013. The New Caledonia Air Services Agency, a public enterprise of New Caledonia, is responsible for ensuring the continuity of air services. To this end, it owns 99.38 per cent of the shares in the airline Air Calédonie International (Aircalin). Five international companies operate regular flights to the Territory. In 2015, 497,601 passengers (arrivals and departures) were registered at Nouméa-La

Tontouta International Airport. Frequent international flights link Nouméa's airport with neighbouring countries and with Japan, the United States of America and Europe. There are regular services from the Nouméa-Magenta domestic airport to the outer islands and major towns on the main island. A new master plan for the airport was approved in June 2013. It will enable the airport to process 1.5 million passengers by 2030, including 600,000 passengers on domestic flights. The Territory-wide modernization of the transport system is also reflected by the development of a conceptual framework for transport for the period up to 2025, focusing on the complementarity and coherence of all modes of transport.

32. Regarding domestic service, New Caledonia has 14 airfields open to public air traffic. Domestic public transport services are provided by three companies. The Nouméa-Magenta airport, through which half of domestic traffic passes, recorded more than 439,099 passengers (arrivals and departures) in 2015. The Loyalty Islands airfields handle 74 per cent of the domestic passenger traffic (excluding Nouméa-Magenta). It should also be noted that a third cargo vessel has been put into operation, and work has begun on a project to build new port infrastructure on the island of Ouvéa.

33. The telecommunications sector includes the territorial operator, the Post and Telecommunications Office of New Caledonia, and its partners (Internet service providers, the mobile telephone company Mobilis and content providers). A submarine cable network connection between the Territory and Australia, brought into service in 2008, has significantly increased the Territory's network capacity. In recent years, Internet facilities and usage have grown rapidly. By the end of 2014, mobile Internet services had more than 24,500 customers. The services have recently been supplemented by the launch of 4G service in the Territory. The stated goal is to further reduce the digital divide and facilitate Internet traffic.

F. Tourism and environment

34. In the view of the administering Power, New Caledonia, with its geographical location and cultural richness, has real strengths and considerable tourism potential that has not yet been fully tapped. Tourism is thus a key to the Territory's economic development. The tourism sector accounts for just over 2 per cent of GDP (about $208 million), and 5,500 jobs. According to the French Institute of Statistics and Economic Studies (ISEE), in the third quarter of 2016, 31,370 tourists visited the Territory, an increase of 2 per cent compared to the same period in 2015. In the third quarter of 2016, 52,050 cruise ship passengers visited New Caledonia, a decrease of 28 per cent compared to the same period in 2015.

35. The administering Power indicates that New Caledonia has a unique natural heritage characterized by a high rate of endemism, in particular among plants (76 per cent); striking land ecosystems (rainforest, maquis shrubland), some of which are particularly endangered (dry forest); and the second largest coral reef in the world after Australia's Great Barrier Reef. Recognized internationally as a global biodiversity hotspot, the Territory has now been doubly distinguished by the inclusion, in July 2008, of "Lagoons of New Caledonia: reef diversity and associated ecosystems" on the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage List and by the inclusion, in February 2014, of the lakes of the South Province of Grande Terre on the list of the Convention on Wetlands of International Importance especially as Waterfowl Habitat.

36. According to the administering Power, the various threats to this biodiversity are the subject of the special attention of non-governmental organizations, such as

the Conservation International Foundation, the World Wide Fund for Nature and the Pew Environment Group. In a February 2011 report, the Conservation International Foundation expressed concern over the negative impact of nickel mining and deforestation on the unique flora and fauna of New Caledonia. The Territory is ranked second among the world's 10 most threatened forest hotspots: it has lost 95 per cent of its original forest cover. Deforestation also threatens many endemic species, including various plants and birds. For example, the kagu (Rhynochetos jubatus) is the only surviving member of the bird family Rhynochetidae, and the best known of the Territory's native birds. New Caledonia is also home to one of the world's largest geckos, the New Caledonian giant gecko (Rhacodactylus leachianus).

37. According to the administering Power, biodiversity conservation is now at the heart of government concerns. Various actions are being taken by the three provinces, which have authority over environmental matters, and by the Government of New Caledonia in the exclusive economic zone: implementation of sustainable strategies for the management and conservation of iconic species (dugong, kagu) and heritage ecosystems (including dry forests); and establishment of a New Caledonia nature reserve to coordinate actions among the various partners involved (Government and civil society) in three priority areas, identified as UNESCO World Heritage sites, dry forests and the control of invasive alien species. Protected areas have been established at the provincial level, and the Natural Park of the Coral Sea was established in 2014; its management committee is working to produce a management plan by April 2017. It covers the entire area under the jurisdiction of New Caledonia, or 1.3 million km^2. It should also be noted that an assessment of all the flora of New Caledonia (more than 3,000 taxa) is being conducted by groups of specialists from the International Union for Conservation, to determine the risks of extinction of various species for inclusion on the Red List of Endangered Species. The assessment began in 2014 and is expected to continue for five years. New Caledonia is also under an obligation to implement the Washington Convention (Convention on International Trade in Endangered Species of Wild Fauna and Flora), and issues import, export and re-export permits. On 11 August 2016, Congress adopted its deliberation on the implementation of the Convention (transposition into local law).

38. Mining activity and its impacts on the natural and human environment on land will henceforth be strictly regulated by regulations established in New Caledonia (the Mining Code in 2009 and provincial environmental codes starting in 2010). However, they do not apply to the soil and subsoil of the maritime space. The codes have chapters on protection of the natural heritage, natural resource management and the prevention of pollution, hazards and nuisance, which impose rigorous requirements in terms of good practices and compensatory measures. Furthermore, the Nickel Fund, which was established in 2009, allows for the gradual rehabilitation of sites impacted by past mining activity.

IV. Social conditions

A. General

39. United Nations Development Programme data for New Caledonia show that the Territory has a high human development index. The adult literacy rate is over 96 per cent and school enrolment (all levels) is about 89 per cent. Nevertheless, according to the French Institute of Statistics and Economic Studies, the Territory suffers from inequalities and imbalances in several areas, including the social and economic spheres. Some 74.4 per cent of the population is concentrated in the South

Province. Including the suburbs of Nouméa, the Greater Noumea metropolitan area is home to 67 per cent of the population. The population density in the South Province is 29 inhabitants per km^2 (999.7 inhabitants per km^2 in Nouméa), compared to only 5.3 inhabitants per km^2 in the North Province and 9.2 inhabitants per km^2 in the Loyalty Islands Province (2014). Among the population aged 15 years or over, 40 per cent of those living in the North and Loyalty Islands Provinces have no educational qualifications, compared to 20 per cent of those living in the South Province.

40. According to the administering Power, in 2016, the Government formed in April 2015 enacted two mechanisms to combat the high cost of living, in the form of a general consumption tax, which will replace seven existing taxes, and a mechanism on competition, competitiveness and prices, which allows the Government to regulate prices. At the same time, the High Commissioner entered into negotiations with the banks with a view to reducing bank fees. An initial agreement on this matter was reached on 23 December 2013. A second agreement on the continuation of those efforts was signed on 15 December 2014. According to a press release from the Office of the High Commissioner dated 18 January 2016, the negotiations under way with the banks to finalize a new agreement for 2016 concluded without reaching an agreement. The High Commissioner issued an order to set the maximum value of bank fees for 2017 with a reduction of 25 per cent for account holding fees, subscriptions to the Internet and the costs of establishing authorized transfers. The order is expected to come into force on 1 April 2017.

41. The concept of economic rebalancing is rooted in the 1998 Nouméa Accord and in the aim of achieving a more harmonious distribution of job and wealth creation throughout New Caledonia in preparation for the Territory's potential accession to full sovereignty. This concept led to the development of a formula for budgetary allocations that proactively favours the North and Loyalty Islands Provinces in terms of their demographic weight and the imbalances to be corrected. It has also resulted in the development of the Voh-Koné-Pouembout area of the North Province and the establishment of a nickel plant in that province (KNS, with the Glencore partnership).

42. Eighteen years after the Nouméa Accord, the centrepiece of the rebalancing initiative is the Koniambo Nickel SAS plant in Vavouto, municipality of Voh. In order to assist the plant to overcome financial constraints due to furnace failures and the collapse of the price of nickel, according to the administering Power it decided in November 2016 to maintain the tax relief system (Girardin Act). According to the administering Power, this fiscal mechanism should enable Glencore, the co-shareholder in KNS, to rebuild furnace No. 2 and thereby increase output. The plant's establishment has triggered significant, rapid development in the Voh-Koné-Pouembout area, with housing and infrastructure development facilitated by the various institutions (North Province, New Caledonia Government, French Government) through their public policies.

43. The administering Power also indicates that it concluded development contracts with the North Province and municipalities, thereby mobilizing significant resources. These subsidies have effectively supported the development of municipalities in the area (17 municipalities comprising 199 tribes, which constitute separate villages to be served and provided with infrastructure), and have helped to address shortfalls in terms of so-called primary infrastructure (drinking water, roads, sanitation, miscellaneous public infrastructure). This has enabled a local business base to develop. Between 2005 and 2013, the number of local businesses rose from 1,550 to almost 3,000. The population of the Voh-Koné-Pouembout area has doubled in 10 years, reaching 10,000. A further increase to 15,000 is expected by 2020.

44. In the far south, the construction of a metallurgical plant has likewise received support from the administering Power and local authorities. This plant, located in Goro, is operated by the company Vale New Caledonia. A 95 per cent share of the plant is owned by Vale Canada and a 5 per cent share is owned by the Société de participation minière du sud calédonien, a holding company belonging to the three provinces. The Goro plant uses a hydrometallurgical process, which makes it possible to exploit low-grade nickel ore. Vale New Caledonia, which directly employs 1,420 people, continued to expand in 2016. In November 2016, the administering Power announced a loan of 23.87 billion CFP francs (approximately $209 million) to support Vale New Caledonia, as well as a State guaranteed loan worth 26.25 billion CFP francs (about $230 million) to support the financing of the project to replace the current dam with the construction of a dry storage site for tailings.

45. According to the administering Power, the Société Minière du Sud Pacific Group SA (South Pacific Mining Company), which belongs to the North Province, also holds 51 per cent, in partnership with a Korean steel concern, a metallurgical facility built in Gwangyang, Republic of Korea, which has a nominal capacity of 30,000 tons per year. A second production line has been added at this facility, bringing that figure to 54,000 tons per year.

46. The administering Power indicates that the loan to support Vale New Caledonia was granted by the administering Power to SLN which, it reports, has enabled it to exit a perilous financial situation. The administering Power indicated that the company made a net loss over the past four years. Approximately 2,200 people are employed by SLN, two thirds of whom work at the Doniambo metallurgical site in Nouméa.

B. Employment

47. According to employment estimates from the French Institute of Statistics and Economic Studies, as at 31 December 2015, the number of wage positions in New Caledonia stood at 91,196, a figure that remained almost stable compared to 2014. Private wage employment represented 72 per cent of total wage employment, compared to 23 per cent for public wage employment (25 per cent State civil servants, 36 per cent New Caledonia civil servants and 39 per cent contract employees).

48. Regional disparities are also evident in the labour market, with unemployment particularly high in the North Province. According to the administering Power, since the Koniambo plant in the North Province gradually began operations in 2012, it has generated some 8,000 new jobs, directly and indirectly, many of them for the local population. The Government of New Caledonia has indicated that it has no statistics confirming high levels of unemployment among Kanaks. The administering Power reports that remedial action is being taken with respect to rebalancing in this regard (see A/AC.109/2016/11).

49. In addition, in December 2016 Congress adopted a New Caledonia law to promote employment of local people in the civil service of the Territory. For each category of staff, two external competitive examinations have been established: the first will be reserved for citizens of New Caledonia and persons who can prove a period of residence ranging from 10 years, to five and three years or with no duration stipulation; the second will be open to all citizens of the administering Power. The proportion of the total number of places offered under the first competition cannot be less than 90 per cent for access to staff or management

positions in employment category C, 80 per cent for category B and 60 per cent for category A.

50. Finally, the administering Power seeks to respond to the problem of so-called "caledonization" of employment positions, by promoting the return to New Caledonia of Caledonian officials posted to metropolitan France.

51. According to the administering Power, some Kanak representatives in the past expressed concerns over the influx of immigrant labour. The Government of New Caledonia has acknowledged this fact, while noting that the immigrant community includes highly qualified workers as well as technicians and managers not available in the domestic labour force. Furthermore, the duration of stay was limited to 18 months for the first category of these immigrants and to four years for the second category. According to the Government of New Caledonia, three quarters of the guest labour force of the nickel plant in the South Province have already left the Territory. Such demobilization has also accelerated considerably at the North Province plant.

C. Education

52. In 2016, student enrolment in New Caledonian schools stood at 70,436, with 34,844 students in the 267 public and private primary schools and 31,290 students enrolled in the public or contracted private secondary schools (18,293 in 57 middle schools and 12,997 in 19 high schools and high school campuses).

53. In 2016, the Congress of New Caledonia adopted an educational project that lays the foundation for schools adapted to the realities of the Territory, based on mutual respect, solidarity and tolerance. In October 2016, a protocol for the implementation of the educational project was signed between the head of the Government of New Caledonia and the administering Power.

54. Under the "Cadres for the Future" framework, 1,580 trainees have now been trained and are providing expertise in various communities, governments and enterprises in New Caledonia. Some 70 per cent of these trainees are of Kanak origin. The success rate is high: 95 per cent of the trainees find employment within three months after their return to New Caledonia. Since 2006, the administering Power has maintained its financial commitment at 644 million CFP francs (approximately $5.63 million), while New Caledonia provides 59 million CFP francs ($516,000). New initiatives have been undertaken, with the identification and training of trainees in the following fields of excellence:

(a) Public secondary school teaching: from 2010 to 2015, 35 trainees of Kanak origin received permanent appointments, bringing to 64 the number of teachers of Kanak origin in the public sector;

(b) Medicine and high-level health-sector occupations: in 2015, four practising doctors who had received support from "Cadres for the Future" were of Kanak origin;

(c) Judiciary and legal and judicial occupations;

(d) Senior management and, in general, occupations concerning the exercise of sovereign powers. In these fields, a Kanak sat the maritime administrator examination and is studying at the naval academy.

55. With respect to the social and vocational integration of young people in difficult circumstances, the French army has an adapted military service regiment that provides training in various manual occupations (mechanics, construction, public works, animal husbandry, hospitality, food service) and job placement for

approximately 500 young New Caledonians per year. The adapted military service fulfils a social mission within a military framework; it aims to provide a comprehensive response to social exclusion, unemployment, alienation and illiteracy among young people. In view of its success, the programme will be stepped up, particularly in the North Province. The placement rate is 76 per cent, with 90 per cent of volunteers of Kanak origin. The administering Power has agreed to fund about 75 additional places in 2017. This will bring to nearly 600 the number of beneficiaries.

D. Health care

56. Since 1990, life expectancy at birth has increased in New Caledonia by seven years. In 2012, it was estimated at 80.4 years for women and 74 years for men. Indicative of the overall standard of living, these figures for life expectancy place New Caledonia slightly below France and make it a leader in Oceania. The infant mortality rate, which is indicative of the quality of obstetrical and paediatric care in a country, has been dropping steadily, from 27 per thousand in 1980 to 10.7 per thousand in 1990 and 3.9 per thousand in 2012. While still somewhat higher than in France (3.6 per thousand), this level is notably lower than those of the neighbouring countries.

57. According to the administering Power, the incidence of addiction, including consumption of alcohol, tobacco and cannabis, is high in New Caledonia. The administering Power and local authorities have mobilized to coordinate a strategic health plan for New Caledonia for the years to come. This was an outcome of the health forum held in August 2015. The plan's objectives are in alignment with the general principles of the World Health Organization for the region, especially with regard to the Healthy Islands concept, with its holistic approach to health policy.

58. The Territory has two public hospitals (527 beds and 28 spaces for one-day hospital stay), two private establishments (235 beds and 59 spaces for one-day hospital stay) and one specialized hospital (185 beds and 83 spaces for one-day hospital stay). A number of projects to restructure the hospital offering are now under way.

59. The Koutio Médipôle hospital near Nouméa, which was built at a cost of 62.84 billion CFP francs ($550 million), cared for its first patient on 5 December 2016 and will be fully operational in 2017. It consolidates, in a single location, the new territorial hospital with a capacity of 329 beds, a logistical health-care facility (Logipôle), the Pasteur Institute of New Caledonia, and an oncology centre. This hospital enables the consolidation of a number of somewhat obsolete facilities into a state-of-the-art health-care hub built on a 20-hectare campus, with strong links to the urban and natural environment. The overall project concept is based, among other things, on the use of renewable energy sources. Part of the funding is provided by the administering Power in the context of development contracts ($15.7 billion for the period 2011-2015). In Nouméa, the three private clinic locations are being consolidated to create a single-location private hospital centre in Nouville. Work on this began in 2015, with the opening planned for 2018. The new facility, costing 13.71 billion CFP francs ($120 million), will have a capacity of 269 beds. A full range of medical care options will be available on a 25,000-square-metre site. In North Province, the hospital offering will be restructured with the construction of a new, 58-bed hospital in Koné, at a cost of 6.29 billion CFP francs ($55 million), and the reconfiguration of activities at the Koumac and Poindimié sites to focus on follow-up care and rehabilitation. At the provincial level, integrated public health-care services are provided through medical and social services centres in almost every town in the territory. Of these, seven have a total of 78 beds.

V. Relations with international organizations and partners

60. The Organic Law of 19 March 1999 governs the legal framework within which New Caledonia may establish external relations. New Caledonia has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1992. In 2006, it became an associate member of the Pacific Islands Forum, and after seven years of negotiations was accepted as a full member during the forty-seventh summit in Pohnpei, Federated States of Micronesia, held from 7 to 11 September 2016, with the active support of the administering Power. According to the administering Power, this is an important step in the implementation of the Nouméa Accord towards a greater international role. The administering Power indicates that New Caledonia now wishes to obtain a certain status within the Melanesian Spearhead Group, of which only FLNKS is a member.

61. New Caledonia is also a member of the Pacific Community, the oldest regional organization in the Pacific, whose secretariat is located in Nouméa. Other regional arrangements in which New Caledonia is involved include the South Pacific Regional Environment Programme, the Pacific Islands Forum Fisheries Agency, the Western and Central Pacific Fisheries Commission, the Pacific Islands Development Forum, the World Health Organization, the Oceania Customs Organization, the Oceania Regional Anti-Doping Organization, the South Pacific Tourism Organization and the Pacific Power Association. Regional cooperation among universities has gained momentum since 2013. For example, the Pacific Islands Universities Research Network, formally established on 10 July 2013, includes 11 Pacific Island universities and aims to contribute in a more structured way to the training of young professionals and development in the Pacific. It thus represents a genuine regional platform to support public policies. Since October 2016, New Caledonia attends meetings of the World Health Organization Regional Committee for the Western Pacific as an autonomous non-voting member. Finally, New Caledonia, with the support of the French Government, was granted associate membership in the International Organization of la Francophonie in November 2016.

62. New Caledonia has continued to strengthen its ties with the European Union, with which it holds the status of associated overseas territory, as conferred by the Treaty of Rome. The European Commission Office for the Pacific Overseas Countries and Territories is based in Nouméa. In January 2012, the French Minister for Cooperation, the French Minister for Overseas Territories and the President of the Government of New Caledonia signed a convention related to the hosting of New Caledonian delegates in the French diplomatic and consular missions in the Pacific (Oceania). The first New Caledonian delegate appointed was hosted in the French embassy in Wellington in 2012. According to the administering Power, the process of deploying representatives of New Caledonia will continue in 2017. A draft New Caledonia law on the conditions for selection and training will be considered at the beginning of 2017.

63. According to the administering Power, it should be noted that 2016 was marked by heavy investment by the President of the Government of New Caledonia in the development of relations with neighbouring States. Accompanied by several business leaders, in 2016 he undertook several visits within the nearby regional environment: in Vanuatu in April to promote trade and to support local education structures; in New Zealand in June to sign a protocol of cooperation; finally in Australia in October to strengthen economic ties and develop university exchanges.

VI. Position of the administering Power

64. Following the visit to New Caledonia in November 2014 by the President of France, Mr. François Hollande (see A/AC.109/2015/15), the administering Power indicates that the work of the various successive committees of the signatories has focused on four major areas: promotion as far as possible of voting; support for studies on the institutional future after the Nouméa Accord; support for the development of a nickel strategy; and conclusion of the new generation of development contracts for the period from 2017 to 2021.

65. Two meetings of the Committee of Signatories of the Nouméa Accord were held in 2016. According to the administering Power, the meeting of 5 February 2016 provided an opportunity for the French Prime Minister to reiterate firmly the will of the administering Power to resolve the current electoral dispute surrounding the special provincial electoral rolls. In that regard, the decision was made to have trusted experts conduct a quantitative assessment of the electoral dispute as soon as possible. It was also agreed to bring the matter before the Council of State for advice on the issue of the recent transfer of powers under article 27 of the Organic Law of 19 March 1999. The resulting conclusions were transmitted to the signatories in October 2016. On the occasion of the committee's meeting on 7 November 2016, the experts appointed by the Prime Minister presented the work carried out by the observer and advisory mission on the institutional future of New Caledonia regarding the convergence and divergence among the eight sovereign projects considered at the 2015 thematic workshops (see A/AC.109/2016/11). The partners have taken note of the work and agreed to continue the discussion. The Mission members will continue to support the local studies, either at the request of the High Commissioner or at the request of the political forces of New Caledonia for the needs of their own studies. Other experts, including Caledonian or international experts, will be appointed to study further such specific topics as the proposed charter of values, monetary or defence issues and regional cooperation. Partners will meet in the first half of 2017 to provide an update on the status of the preparations for the referendum on accession to sovereignty.

VII. Consideration of the question by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

66. At the Pacific regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Managua from 31 May to 2 June 2016, statements were delivered by the representative of the administering Power and the representative of the territorial Government. Two independent experts from New Caledonia also participated in the seminar.

67. At the 11th meeting of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, held on 24 June 2016, statements were delivered by the representatives of the administering Power and Papua New Guinea. At the same meeting, the Special Committee heard a petitioner (see A/AC.109/2016/SR.11).

68. Also at that meeting, the Special Committee adopted without a vote a draft resolution on the question of New Caledonia, introduced by the representative of Papua New Guinea, speaking also on behalf of Fiji (General Assembly resolution 71/119).

B. Special Political and Decolonization Committee (Fourth Committee)

69. At the third meeting of the Fourth Committee, on 4 October 2016, the Permanent Representative of Papua New Guinea made a statement. At the same meeting, the Committee heard a statement by the Vice-President of the Government of New Caledonia, His Excellency Jean-Louis d'Anglebermes. The Committee also heard a petitioner on the question of New Caledonia (A/C.4/71/SR.3).

C. Action taken by the General Assembly

70. On 6 December 2016, the General Assembly adopted, without a vote, resolution 71/119, based on the report of the Special Committee transmitted to the Assembly (A/71/23) and its subsequent consideration by the Fourth Committee.